

REMARKS

Claims 1-7 and 12-14 are all the claims pending in the application.

Initially, it is noted that the Examiner has neither acknowledged Applicants' claim to foreign or domestic priority under 35 U.S.C. § 119. In addition, the Examiner has not indicated that the certified copies of the priority documents have been received or that the verified English translations of the provisional applications have been received.

Since foreign and domestic priority were claimed when the application was filed, the Examiner is respectfully requested to acknowledge Applicants' claims to priority, to indicate that the certified copies are of record and to confirm receipt of the verified English translations of the provisional applications filed in the provisional applications.

In addition, it is noted that the Examiner has also not acknowledged Applicants' claim for domestic priority under 35 U.S.C. § 120/121, and the Examiner is respectfully requested to do so.

On page 2 of the Office Action, the Examiner indicates that claims 1-7 and 12-14 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being allegedly unpatentable over claims 1, 8 and 11-16 of U.S. Patent 6,344,966.

Applicants submit herewith a terminal disclaimer disclaiming the terminal part of any patent granted on the above-captioned U.S. Application No. 09/961,279 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,344,966. The filing of the terminal disclaimer is not an admission of the propriety of a non-statutory obviousness-type double-patenting rejection.

Accordingly, Applicants respectfully request that the non-statutory obviousness-type

RESPONSE UNDER 37 C.F.R. § 1.111
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double patenting rejection be withdrawn.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

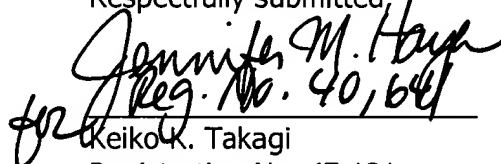
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Date: March 12, 2004